



City of Cambridge

COF 2020 #10
IN CITY COUNCIL
February 24, 2020



CAMBRIDGE CITY COUNCIL

Marc C. McGovern

City Councillor

TO: Cambridge City Council
FROM: Councillor Marc McGovern
DATE: February 20, 2019
RE: Comments on Refiling the 100% Affordable Housing Overlay Zoning Petition 2020

Fellow Councillors:

In the months since the Affordable Housing Overlay Zoning Petition (AHO) was tabled, having secured favorable recommendations out of the Ordinance Committee and Planning Board, Cambridge's housing crisis has not subsided. If anything, the acuteness of the region's housing shortage has only become more focused. A new report out of the Metropolitan Planning Area Council confirmed the particular challenges that blue-collar [families with children](https://metrocommon.mapc.org/reports/10) <<https://metrocommon.mapc.org/reports/10>> face in securing affordable housing. The *Boston Globe* [finally endorsed](https://www.bostonglobe.com/2020/02/18/opinion/letting-towns-solve-mass-housing-shortage/) <<https://www.bostonglobe.com/2020/02/18/opinion/letting-towns-solve-mass-housing-shortage/>> Governor Baker's Housing Choices Bill, lamenting the "Commonwealth's bizarre housing laws...that empowers small minorities to thwart just the kind of housing projects that the state so desperately needs." (The same bizarre law, as it happens, that thwarted the AHO last year and doomed it to sit on the table with a majority of Councillors in support of passage.)

The refiled AHO petition takes the language recommended out of the Ordinance Committee as its base text. This version was the result of an extensive and lengthy public process. All told, the AHO was discussed at more than a dozen community meetings, nine Housing Committee meetings over two years, and four Ordinance Committee hearings logging more than 21 hours of public comment and debate (not to mention full City Council meetings). Councillors voted on some 62 amendments in Ordinance Committee, the vast majority (46 amendments) of which were adopted. Nearly all of the successful amendments (41) were offered by Councillors who ultimately voted against the AHO.

As the Community Development Department cautioned in a memo to the Council last year, however, "to the extent that these [additional] requirements add cost to, or complicate the development of, AHO projects, and particularly if these requirements are not similarly imposed on market-rate developments, the potential impact of the AHO may be lessened." Accordingly, the petitioners have offered some amendments in consultation with Cambridge's affordable housing developers to better enable the AHO to

create housing more quickly, predictably, and efficiently, as was originally intended. The amendments from AHO 2019 are summarized as follows:

- Amendments in section 11.207.3 Standards for Eligibility, Rent, and Initial Sale Price for AHO Units are included so as not to conflict with state funding requirements, and to clarify that certain regulations are project specific.
- It is reasonable to assume that existing building might be relocated on the parcel as well as “altered, reconstructed, extended, or enlarged” in order to more suitably meeting the intent and guidelines of this overlay. This is now reflected in 11.207.5.3 Standards for Existing Buildings to permit the type of historical preservation achieved, for example, in the Frost Terrace project.
- In section 11.207.5.2 Dimensional Standards for AHO, effort has been made to avoid confusions where a zoning district intersects property lines by measuring buffer zones from an abutting parcel line that is in a lower-density district, rather than a district line which may split a parcel otherwise suitable for affordable housing.
- An amendment to section 11.207.5.2.3 establishes a minimum front yard setback of 15 feet, greater than the 10 feet observed by the Cambridge Urban Forest Master Plan to produce the City’s densest canopy, except where the existing base zoning is less restrictive, or where such a setback would not fit the context of abutting properties.
- An amendment to section 107.5.2.4 Open Space restores a test for setting required open space percentages originally recommended to the Council and ensures affordable housing developers have flexibility in meeting the Council’s open space goals.
- Current language in section 11.207.6.1 Required Off-Street Accessory Parking would require expansive, likely non-permeable off-street facilities to accommodate passenger pick-up/drop off and delivery trucks regardless of the project size. A revision to this section would avoid eating into open space for the purpose of off-street vehicle facilities on projects with fewer than 20 units.
- Responding to feedback from our affordable housing partners that portions of section 11.207.7.2 Site Design and Arrangement requirements would render a project unworkable and might not achieve the desired streetscape design, dimensional standards have been relaxed in breaking up building massing while still preserving the Council goal of preventing unbroken facades of more than 150 feet. Some additional clarifying amendments are included.
- Window sizes for non-residential portions of buildings are set at 30 percent in Section 11.207.7.3 Building Facades and Section 11.207.7.4 Ground Stories and Stories Below Grade, which should translate to less energy loss than the previously proposed 70 percent glazing. Further, the mandate that affordable housing developers subsidize the building of retail space is lifted, allowing non-residential uses to be created where site appropriate.
- Section 11.207.7.6 Environmental Design Standards creates something of a double negative in the municipal code with regard to the applicability of the Tree Protection Ordinance to AHO projects-*tree regulations do not not apply to affordable housing projects exempted from the Tree Protection Ordinance*. The release of the Urban Tree Canopy Master Plan and expected overhaul of the Tree Protection Ordinance will provide an opportunity to apply a single standard to all affordable housing projects, and thus this contorted language may be stricken altogether.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mare McC", is written below the text.